

Appl. No. 10/691,744
Amdt. dated August 8, 2005
Reply to final Office action of June 6, 2005

REMARKS

I. CLAIM STATUS

Claims 1, 5-10, 14-18, and 25-28 were pending. Claims 1, 10, and 25 have been amended.

II. REJECTIONS UNDER 35 USC § 102

Claims 1, 5-10, and 14-18 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,867,501 ("Horst"). Insofar as these rejections apply to the pending claims, Applicants respectfully traverse because the cited art fails to teach or suggest every element of the claims.

Horst appears to disclose a multiprocessor system where a first processor will send a message packet to a second processor and expect a message packet to be returned from the second processor in response. Col. 28, lines 62-65. A timer is set off then and will expire if a response from the second processor is not received within the time allotted. Col. 29, lines 3-17. The examiner acknowledged that Horst discloses "starting a request timer, which expires when a response message is not sent from the other processor back to the requesting processor." Office action, page 7. In response to Applicants' arguments traversing the rejection of claim 1 the examiner stated:

Claim cites "a plurality of processors coupled together to permit messages to be transmitted *from one processor to another*" and "each processor having at least one timer that expires when a message is not sent from *the processor* in a predetermined amount of time." Examiner interprets "the processor" as the other processor which each processor is coupled to permit messages to be transmitted.

Office action, page 7.

Unlike in Horst, the present independent claims 1 and 10 disclose a multiprocessor computer system wherein each processor includes a timer. In case of a delay in transmission by the processor, the timer associated with the processor will expire and the processor will take appropriate action, such as simply dropping the queued messages to keep the system from locking up. (Abstract). Accordingly, independent claims 1 and 10 have been amended to recite a first processor "having at least one timer *that expires when a message is*

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not sent from the first processor in a predetermined amount of time." Horst fails to teach or suggest a multiprocessor system wherein the timer expires when a message is *not sent from the processor including the timer* in a predetermined amount of time as recited in independent claims 1 and 10. For at least this reason, independent claims 1 and 10, along with their dependent claims 5-9 and 14-18, respectively, are allowable over the cited art.

Claims 25-28 stand rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,353,616 ("Elwalid"). Claim 25 recites, in part, "if the first or second timer expires, disabling transmission of messages of the corresponding type." Referring to figure 2 in Elwalid, the specification discloses a system where:

Scheduler 206, upon receiving notice of a . . . message from packet classifier 210, begins a corresponding counter of timing section 208. If the counter of timing section 208 expires, an action, such as dropping the corresponding *packet of the input queue 220*, is performed.

Col. 5, lines 9-18. Hence, in Elwalid, although the "packets" are dropped from the input queue 220 the dropping operation affects only currently queued packets and does *not* represent a "disabling of transmission messages of the corresponding type" as recited in independent claim 25.

III. REJECTIONS UNDER 35 USC § 103

Claim 25 stands rejected under 35 USC § 103(a) as being unpatentable over Horst in view of U.S. Patent No. 5,924,119 ("Sindhu"). Claim 25 has been amended to recite "wherein the first timer expires if a message of the first type is not sent within a predetermined amount of time . . . [and] wherein the second timer expires if a message of the second type is not sent within a predetermined amount of time." As discussed above, Horst fails to disclose a timer that will expire if the message type corresponding to that timer is not sent from the processor including the timer. Sindhu is also silent as to this limitation. Because Horst and Sindhu fail to disclose all limitations of independent claim 25, applicants respectfully traverse the examiner's rejection.

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IV. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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